

INDICTMENT IS NOT EVIDENCE

The charge(s) in this case (is/are) set forth in a document known as an indictment. The indictment simply states the charge(s). Neither the indictment itself nor the fact that an indictment has been filed constitutes evidence. The defendant has pleaded not guilty to the charge(s) contained in the indictment, and the trial is to decide whether the defendant is guilty or not guilty.¹

1. See *People v. Greaves*, 94 N.Y.2d 775 (1999).